

FILED

MAY 07 2020

CLERK, U.S. DISTRICT CLERK
WESTERN DISTRICT OF TEXAS
BY MR
DEPUTY**Affidavit**

1. Affiant, Kristine N. Hannah, is a Texas peace officer employed by the Texas Department of Public Safety (DPS) and is currently assigned to the Criminal Investigations Division (CID) Special Agent (SA) in Midland, Texas. Affiant has been employed as a peace officer for approximately five (5) years with five (5) months of those years being a criminal investigator. Affiant has received education and undergone training in various aspects of illegal drugs related activities and methods used by drug offenders to maintain their activities. In addition, Affiant has participated, assisted and led in investigations to include joint investigations with other local and federal law enforcement agencies in investigations of individuals who traffic in Methamphetamine, Methylenedioxy-Methamphetamine (MDMA) and other illegal substances which involved surveillance, overt and covert operations, writing and serving search warrants, the arrest of individuals, interviewing and interrogation related to drug trafficking organizations. I am currently assigned to the investigation of Kerry STEPHAN and Mikala GOPFFARTH. Specifically, STEPHAN and GOPFFARTH are accused of an offense against the United States by possessing a controlled substance with intent to distribute 50 grams or more of Actual Methamphetamine, in violation of 21 United States Code, Section 841, and STEPHAN is accused of Possession of a firearm in furtherance of a drug offense in violation of 18 United States Code 924(c).
2. The sole purposed of this affidavit is to establish that there is probable cause to believe that KERRY JONATHON STEPHAN and MIKALA GOPFFARTH engaged in specific criminal activity. This affidavit is made, in part, on the personal knowledge derived from participation in this investigation and, in part, upon information and belief. The source of information and belief are: oral and written reports about this investigation that have been received, either directly or indirectly from other local law enforcement officers. This affidavit does not contain all information known to law enforcement officers concerning this matter.
3. STEPHAN is a known subject in the Odessa/Midland area who is involved in a criminal endeavor such as distribution of narcotics to wit: Methamphetamine. On February 15, 2020, The Odessa Police Department conducted a traffic stop on a Gray Nissan Altima bearing TX LP BRM5264 for no front license plate, a violation of the Texas Transportation Code in the 800 block of South Dixie Odessa, Texas, Ector County. Upon the traffic stop, officers made contact with the passenger of the vehicle identified as STEPHAN. A probable cause search of the vehicle was conducted due to locating THC on the driver and officers located multiple baggies of methamphetamine weighing approximately 17 grams in a computer bag inside the vehicle. STEPHAN voluntarily admitted to possessing the computer bag. STEPHAN was released pending further investigation.

4. On April 25, 2020, Texas Department of Public Safety (DPS) Trooper Finnie conducted a traffic stop on a White Ford Mustang bearing TX LP 69057B6 for speeding, a violation of the Texas Transportation Code in the 8100 block of Golder, Odessa, Texas, Ector County. The driver of the vehicle was identified as STEPHAN and the passenger identified as Mikala GOPFFARTH. STEPHAN gave consent to search his person and voluntarily admitted to possessing a handgun. Troopers retrieved the handgun from STEPHAN's back right pant pocket and the firearm was identified as a silver/black Armi Tanfoglio Giuseppe MOD GT-7, .25 caliber (serial #M17400). He admitted that he carried the handgun for protection. The handgun was found to be manufactured in Gardone Val Trompia, Italy, therefore had to travel through interstate commerce. Trooper Finney conducted a record check on STEPHAN and STEPHAN showed to be currently under indictment for Possession of a Controlled Substance PG 1 > = 4G < 200G (F2). The indictment was returned on February 18, 2020 in Cause Number B-20-0285 in the 161st District Court of Ector County, Texas.
5. Trooper Finnie asked STEPHAN for consent to search the vehicle and STEPHAN gave consent. During the search of the vehicle Trooper Finnie located two (2) clear plastic baggies containing a rock like substance identified as Methamphetamine with the weight approximately of 58 grams that was located under the gear shift on the right side in immediate reach of GOPFFARTH. On the left side was one (1) skittles bag on the left side with a numerous amount of colored pills of different shapes and sizes believed to be Methylenedioxy-Methamphetamine (MDMA) or more commonly known as Ecstasy with a weight approximately of 85 grams.
6. On May 5, 2020, Odessa Police Narcotics Unit and Texas DPS CID Special Agents interviewed STEPHAN. Under *MIRANDA*, STEPHAN admitted to possessing the firearm after being indicted for a felony offense. Furthermore, STEPHAN admitted to possessing the 85 grams of MDMA. STEPHAN stated that he distributed five (5) ounces of methamphetamine per week from February to April, totaling over sixty (60) ounces of methamphetamine.
7. Therefore, there is probable cause that on or about April 25, 2020, KERRY JONATHON STEPHAN and MIKALA GOPFFARTH, in the Western District of Texas, possessed a controlled substance with intent to distribute 50 grams or more of Actual Methamphetamine, in violation of 21 United States Code, Section 841, and STEPHAN Possessed a firearm in furtherance of a drug offense in violation of 18 United States Code 924(c).
8. A conviction for a violation of 21 U.S.C. § 841 carries a minimum mandatory term of imprisonment of ten (10) years, and a maximum term of imprisonment of life; a five (5) year minimum mandatory term of supervised release; a \$10 million fine; and a \$100 special assessment fee. A conviction of 18 United States Code 924 (c) carries a sentence of 5 years to life of confinement, up to 3 years of supervised release, a \$250,000 fine and a \$100 special assessment.

Attested to by Applicant present to Rule 4.1
Fed-R. Crim. P. by phone & email

/s/ Kristine Hannah

Kristine Hannah, Affiant,
Special Agent, Texas DPS CID

Sworn and subscribed to before me on the 7th day of May, 2020.

[Signature]
Ronald C. Griffin

United States Magistrate Judge
Western District of Texas